

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES OF AMERICA,

-against-

EUGENI TSVETNENKO,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
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ELECTRONICALLY FILED  
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15 Cr. 616-8 (AT)

**ORDER**

On June 28, 2022, Defendant, Eugeni Tsvetnenko, was sentenced to a term of imprisonment of 98 months following his guilty plea to conspiracy to commit wire fraud and money laundering in violation of 18 U.S.C. § 371. ECF Nos. 894–95. Defendant’s sentencing guidelines range was 87 to 108 months based on an offense level of 29 and a criminal history category of I. ECF No. 898 at 4:23–5:1. The Bureau of Prisons currently projects that Defendant will be released from prison on December 4, 2025. ECF No. 928 at 1.

Effective November 1, 2023, in its Amendment 821, the United States Sentencing Commission (“Sentencing Commission”) amended the United States Sentencing Guidelines Manual. As relevant here, Part B amends Guidelines § 4C1.1, by providing a two-level offense level reduction for offenders with zero (0) criminal history points who meet specified eligibility criteria. The Sentencing Commission made these amendments retroactive effective November 1, 2023.

By motion dated April 22, 2024, Defendant seeks a sentence reduction under Amendment 821 and 18 U.S.C. § 3582(c). ECF Nos. 936–37. The Probation Department has issued a report indicating that Defendant is eligible for a reduction pursuant to Amendment 821. ECF No. 928 at 3.

Accordingly, by **May 14, 2024**, the Government shall state its position as to Defendant’s motion. By **May 28, 2024**, Defendant shall file his response, if any.

SO ORDERED.

Dated: April 23, 2024  
New York, New York



ANALISA TORRES  
United States District Judge